

PROB 12C
(6/16)

Report Date: November 23, 2022

United States District CourtFILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

for the

Nov 28, 2022

SEAN F. MCAVOY, CLERK

Eastern District of Washington**Petition for Warrant or Summons for Offender Under Supervision**

Name of Offender: Jason Holt

Case Number: 0980 2:21CR00017-TOR-1

Address of Offender: [REDACTED] Spokane, Washington 98207

Name of Sentencing Judicial Officer: The Honorable David Counts, U.S. District Judge

Name of Supervising Judicial Officer: The Honorable Thomas O. Rice, U.S. District Judge

Date of Original Sentence: March 16, 2018

Original Offense: Aiding and Abetting Felon in Possession of a Firearm, 18 U.S.C. §§ 922 (g)(1), 924 (a)(2) and 2

Original Sentence: Prison - 37 months; Type of Supervision: Supervised Release
TSR - 36 monthsRevocation Sentence: Prison - 12 months;
(11/17/2021) TSR - 24 months

Asst. U.S. Attorney: Earl A. Hicks Date Supervision Commenced: July 26, 2022

Defense Attorney: Kathryn Patricia Lucido Date Supervision Expires: July 25, 2024

PETITIONING THE COURT

To incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court on 08/26/2022, and 09/19/2022.

On July 26, 2022, an officer with the U.S. Probation Office in Spokane, Washington, reviewed a copy of the conditions of supervision with Mr. Holt, as outlined in the judgment and sentence. He signed a copy acknowledging the requirements.

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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5	<u>Special Condition #3:</u> You must abstain from the use of illegal controlled substances, and must submit to urinalysis and sweat patch testing, as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from these substances.
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Supporting Evidence: On November 7, 2022, Jason Holt allegedly violated special condition number 3 by attempting to tamper with and circumvent substance abuse testing.

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On November 7, 2022, the offender reported to the U.S. Probation Office to meet with the undersigned officer as instructed. At that time, he was informed he would be subject to random urinalysis testing. When asked if he would test positive for any illicit controlled substances, Mr. Holt insisted that he had not consumed any prohibited drugs.

During random urinalysis testing, the male officer monitoring the sample collection discovered that the offender was utilizing a “whizzinator,” a device that looks like a real penis and is attached to a reservoir where clean/synthetic urine is kept in order to circumvent urinalysis testing.

- 6 **Special Condition #3:** You must abstain from the use of illegal controlled substances, and must submit to urinalysis and sweat patch testing, as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: On or about November 2, 2022, Jason Holt allegedly violated special condition number 3 by consuming methamphetamine and marijuana.

On November 7, 2022, after his whizzinator and fake urine were confiscated, the offender submitted to random urinalysis testing. Mr. Holt provided a urine sample that was presumptive positive for amphetamine, methamphetamine and marijuana. The offender admitted to the use of methamphetamine on or about November 2, 2022, and the sample was sent to the lab for future testing.

When confronted about his initial claims that he had not consumed any illicit substances and would thus test negative, the offender claimed that he was planning to be honest with this officer about his drug use, but anticipated doing so later this afternoon. This officer questioned the sincerity of that statement considering Mr. Holt reported to the U.S. Probation Office wearing a whizzinator, which indicates that his attempt to circumvent testing was premeditated.

On November 13, 2022, this officer received notification from the laboratory that the urine sample collected from Mr. Holt on November 7, 2022, was in fact positive for amphetamine, methamphetamine and marijuana.

The U.S. Probation Office respectfully recommends the Court to incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: November 23, 2022

s/Amber M. K. Andrade

Amber M. K. Andrade
U.S. Probation Officer

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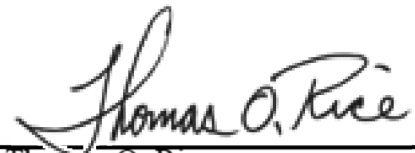
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THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☒ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☒ Defendant to appear before the Judge assigned to the case.
- ☐ Defendant to appear before the Magistrate Judge.
- ☒ Other: The Revocation of Supervised Release Hearing scheduled for 1/19/2023 remains set.



Thomas O. Rice
United States District Judge

November 28, 2022

Date